

LAND LAW ACTS.

RULES

MADE BY

THE IRISH LAND COMMISSION

UNDER THE

LAND LAW (IRELAND) ACTS.

Dated the 9th day of November, 1898.

Presented to both Houses of Parliament by Command of Her Majesty.



DUBLIN: PRINTED FOR HER MAJESTY'S STATIONERY OFFICE.

By ALX. THOM & Co. (LIMITED), 27, 28, & 29, ABBEY-STREET.

And to be purchased, either directly or through any Bookseller, from
HODGES, FIGGIS & Co. (LIMITED), 104, GRAFTON-STREET, DUBLIN; or
EYRE & SPOTTISWOODE, EAST HANOVER-STREET, FLEET-STREET, E.C., and
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JOHN MENZIES & Co., 12, HANOVER-STREET, EDINBURGH, and
20, WEST NILE-STREET, GLASGOW.

1899.

[C. 9158.] Price 1d.

IRISH LAND COMMISSION.

LAND LAW ACTS.

RULES, dated NOVEMBER 9, 1898, made by the LAND COMMISSION, under the LAND LAW (IRELAND) ACTS.

It is this day ordered that the following general Rules shall, from and after this date until further order, take effect, and be in force in the Land Commission in relation to proceedings under the Land Law Acts, and shall be read in conjunction with the Rules under these Acts, dated the 2nd day of January, 1897, so far as same are applicable.

I.—In cases where an Originating Notice of application by Landlord or Tenant to fix Fair Rent has been served, the Landlord and Tenant may agree that the application shall, in the first instance, be referred to two Court Valuers to be named by the Land Commission, and directed by them to report to the Court—pursuant to the provisions of the Land Law (Ireland) Act, 1881—as to the Fair Rent. A consent for the purpose may be in Form No. 76.

II.—The Valuers shall visit the lands, after due notice to the parties; and having inspected and examined the holding, shall forward their Report to the Court, and shall state in the Report all such facts and circumstances as may be required for the purpose of enabling the Court to form a judgment as to the subject-matter of the Report.

III.—The amount of the Fair Rent, as estimated by the Valuers, shall be notified to the parties, who may obtain copies of the Report; and the Commissioners will make an order fixing the Fair Rent in accordance with the Valuers' Report, unless either party, within one month from the date of the above notification, serves a Notice (which may be in the Form No. 77) requiring the case to be heard; in which event the application shall be listed for hearing before the Commissioners themselves, when the Court will decide the case, having regard to the Report of the Valuers and the evidence offered by the parties; or the Commissioners may delegate the matter to a Sub-Commission if they think such a course advisable.

(Signed),

[SEAL]

R. E. Meredith.

Fredk. Wrench.

Gerald FitzGerald.

S. J. Lynch.

Murrough O'Brien.

FORMS REFERRED TO IN THE FOREGOING RULES.

Form No. 76.

[Heading same as in Originating Notice.]

Consent of Landlord and Tenant that Originating Notice to fix Fair Rent be referred to two Valuers, to be named by the Land Commission; and that the Court may make an Order fixing the Fair Rent pursuant to the Report of the Valuers.

The ————* having served an Originating Notice of application to have Fair Rent fixed, we, the Landlord and ————,† hereby consent that the matter may be referred, in the first instance, to two Court Valuers, to be named by the Land Commission, and to be directed by them to report as to the Fair Rent; that the Land Commission may make an Order in accordance with the Report of the Valuers, unless either party requires the case to be heard in Court; in which event the case shall be listed for hearing in pursuance of the provisions of the Rules in this behalf, and that it shall not be necessary for the Court to ascertain and record in the form of a Schedule the particulars mentioned in Section 1 of the Land Law (Ireland) Act, 1896.

* Landlord or
Tenant or
Lessee.
† Tenant or
Lessee.

* And we further agree

* State Agreement as to
poor rates and
county cess.

† And that the Court shall declare that the Lessee be deemed to be a Tenant of a present Tenancy in the holding.

† To be struck
out if tenancy
not leasehold.

Dated this day of 189 .

Signature of Landlord or of Agent }
or Solicitor on his behalf, }

Signature of Tenant or of Solicitor }
on his behalf, }

[The Tenant's Signature must be witnessed by a Clergyman, by a Solicitor, by a Commissioner for taking Affidavits, or by a Poor Law Guardian, but the Witness must not be in any case a person in the employment of the Landlord.]

APPOINTMENT OF VALUERS.

The Land Commission hereby names Mr. _____ and Mr. _____ to act as Valuers in this matter, and directs them to report upon the Fair Rent of the above holding.

Dated this day of 189 .

By Order,

Registrar.

FORM No. 77.

[Heading same as in Originating Notice.]

* Tenant or Landlord as the case may be.

I, the _____, * hereby require the application to fix a Fair Rent in this case to be heard.

† The party requiring a hearing or the Solicitor.

To _____ †

[The opposite party, whether Landlord or Tenant.]

And the Secretary to the Land Commission.